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09/582,262	10/10/2000	John T. Wassom JR.	06975-029004	3601

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/582,262
Filing Date: October 10, 2000
Appellant(s): WASSOM ET AL.

Matthew Shanley
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 06/15/06 appealing from the Office
action mailed 07/25/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,544,295

Bodnar

04/2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-35, and 37-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Bodnar [US 6,544,295].

As per independent claim 1, Bodnar teaches a computer implemented method and corresponding apparatus of managing navigation information in a computer application comprising the steps/means for:

establishing a global context that can communicate with a plurality of resources (col. 6, line 60 - col. 7, line 8), each resource residing in an associated local context (browsing the Internet Browser using different URLs); communicating state information from one or more of the local contexts to the global context (browsing the Internet Browser using different URLs); and maintaining global navigation information for the plurality of resources using a single navigation interface based on the communicated state information, wherein the plurality of resources are separate and independent resources (col. 6, line 61 - Col. 7, line 8 and col. 7, lines 35-51) that include both browser and non-browser applications (col. 7, lines 47-51 and col. 9, lines 5-11); and presenting the global navigation information as an ordered list of the resources representative of an order in which the resources were accessed using the single navigation interface (fig. 7 is an global navigation information shows an ordered list of the resources representative of an order in which the resources were accessed using the single navigation interface).

As per claim 2, which is dependent on claim 1, Bodnar teaches the communication of state information occurs in response to a change in state in one or more of the local contexts (col. 7, lines 43-51).

As per claim 3, which is dependent on claim 2, Bodnar teaches the change in state in a local context comprises a change in a title associated with a resource or a change in an address associated with the resource, or both (col. 7, lines 43-51).

As per claims 4 and 5, which are dependent on claims 2 and 4 respectively, since Bodnar's system is an Internet Browser (col. 7, lines 3-4), it is inherent that the change in state in a local context is triggered by input from a user of the computer application in which the user's triggering input comprises clicking on a Back/Forward navigation button, selecting an address from a displayed history list, or typing an address in an address field.

As per claims 6 and 7, which are dependent on claims 2 and 6 respectively, since Bodnar's system is an Internet Browser (col. 7, lines 3-4), it is inherent that the change in state in a local context is triggered by a computer process transparently to a computer user in which the transparent triggering comprises a title change notification from a host computer.

As per claim 8, which is dependent on claim 1, Since Bodnar's system is an Internet Browser (col. 7, lines 3-4), it is inherent that the global navigation information comprises state information for global-context Back/Forward

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buttons displayed in a graphical user interface associated with the computer application.

As per claim 9, which is dependent on claim 1, Bodnar teaches the global navigation information comprises state information for a global-context history list presented to a user of the computer application (fig. 7).

As per claims 10 and 11, which are dependent on claims 1 and 10 respectively, Bodnar teaches receiving navigation input from a user of the computer application; and changing a focus to move among the resources based on the received navigation input and the global navigation information in which changing the focus comprises activating a window associated with a resource (col. 7, lines 43-47).

As per claims 12 and 13, which are dependent on claims 1 and 12 respectively, Bodnar teaches maintenance of the global navigation information comprises selectively modifying the global navigation information depending on a manner in which a user interacts with the computer application, which comprises one or more of clicking a-cursor in a window associated with a resource, clicking on a link in a window associated with a resource, clicking on a Back/Forward navigation button, selecting an address from a displayed

history list, or typing an address in an address field (doing these interactions do not modify the bookmark history list).

As per claims 14 and 15, which are dependent on claims 1 and 14 respectively, Since Bodnar's system is an Internet Browser, it is inherent that maintenance of the global navigation information comprises pruning a navigation tree, in which pruning the navigation tree comprises: determining that a user of the computer application is accessing a new address; and deleting forward button state information.

As per claim 16, which is dependent on claim 1, Bodnar teaches changing focus from a current window to a previously accessed window based on the global navigation information (col. 7, lines 43-47).

As per claim 17, which is dependent on claim 16, Bodnar teaches if a window associated with the previously accessed address has been closed, spawning a new instance of that window (col. 7, lines 3-4).

As per claims 18 and 19, which are dependent on claims 16 and 18 respectively, Bodnar teaches changing focus from a current window to a previously accessed window comprises using local-context navigation information maintained by a resource when navigating within that resource's

local context, in which the resource maintaining local-context navigation information comprises a browser application (col. 3, line 65 - col. 4, line 5).

As per claim 20, which is dependent on claim 1, it is inherent in Bodnar's system that a user can specify whether closing a window associated with a resource results in deletion of the window from the global navigation information.

As per claim 21, which is dependent on claim 1, it is inherent in Bodnar's system that maintenance of the global navigation information comprises deleting navigation information corresponding to a closed window.

As per claim 22, which is dependent on claim 1, Bodnar teaches one or more of the resources comprises a browser application (col. 13, lines 65-66).

As per claim 23, which is dependent on claim 1, Bodnar teaches one or more of the resources comprises a non-browser application (col. 13, lines 65-66).

As per claim 24, which is dependent on claim 1, Bodnar teaches the computer application comprises online service client software (*Internet Browser*, col. 6, line 60 - col. 7, line 8).

As per claim 25, which is dependent on claim 1, Bodnar teaches the global navigation information comprises a navigation path to move among resources (fig. 7).

As per claim 26, which is dependent on claim 1, Bodnar teaches in which the communicated state information comprises a Uniform Resource Locator address (col. 13, lines 65-66).

As per claim 27, which is dependent on claim 1, Bodnar teaches the communicated state information comprises a non-internet network address (col. 13, lines 65-66).

As per independent claim 28, Bodnar teaches a method of managing a history list in a computer application, the method comprising: receiving state information from a plurality of independent and separate resources that include both browser and non-browser applications, each resource residing in an associated local context (browsing the Internet Browser using different URLs; col. 10, line 62 - col. 11, line 4, col. 7, lines 47-51 and col. 9, lines 5-11); based on the received state information, maintaining a history of resources accessed by a user of the computer application; and presenting a global-context history

list representative of an order in which the resources were accessed using a single navigation interface (fig. 7; col. 10, line 62 - col. 11, line 4).

As per claims 29, which is dependent on claim 28, Bodnar teaches enabling a user of the computer application to return to any of the listed resources by selecting a desired resource from the global-context history list (col. 9, lines 20-22).

As per claim 30, which is dependent on claim 28 in which a resource communicates state information in response to a change in state in the resource's local context (col. 9, lines 20-22).

As per claims 31 and 32, which are both dependent on claim 30, it is inherent in Bodnar's system that the change in state in the resource's local context comprises a change in an address associated with that resource and in which the change in state in the resource's local context comprises a change in a title associated with that resource.

As per claim 33, which is dependent on claim 28, Bodnar teaches the global-context history list presented to the user selectively omits an identity of one or more of the accessed resources (col. 10, line 62 - col. 11, line 4).

As per claims 34 and 35, which are dependent on claims 28 and 34 respectively, they are rejected under the same rationale as claims 12 and 13 respectively.

As per claim 37, which is dependent on claim 28, it is inherent in Bodnar's system that maintenance of the history comprises adding a new entry to a top of a list if the resource had not been accessed previously.

As per claim 38, which is dependent on claim 28, Bodnar teaches maintenance of the history comprises rearranging entries in a list if the resource had been accessed previously (clicking on *Name*, *Updated*, or *Type* in fig. 7 would prompt the history list to be rearranged).

As per claim 39, which is dependent on claim 28, Bodnar teaches the history of resources corresponds to a navigation path among resources (fig. 7).

As per claim 40, which is dependent on claim 28, Bodnar teaches the state information received from a resource comprises a Uniform Resource Locator address (col. 13, lines 65-66).

As per claim 41, which is dependent on claim 28, Bodnar teaches the state information received from a resource comprises a non-internet network address (col. 13, lines 65-66).

As per independent claims 42 and 44, they are rejected under the same rationale as claim 1.

As per claim 43, which is dependent on 42, Bodnar teaches graphical controls that enable a user of an application to move among resources based on the global-context navigation information (fig. 9A and 9B).

As per claims 45 and 46, which are dependent on claims 44 and 45 respectively, they are rejected under the same rationale as claim 43.

As per claims 47-50, Bodnar teaches the browser applications include web browser applications and non-browser applications include word processing applications (col. 5, lines 4852).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bodnar.

As per claim 36, which is dependent on claim 28, the Examiner takes Official Notice that it is well known to display presentation of the global-context history list in a drop-down list. It would have been obvious to an artisan at the time of the invention to modify Bodnar's system to include a drop-down list displaying presentation of the global-context history since it would conserve the window space.

(10) Response to Argument

Appellant has argued that Bodnar does not teach or suggest "the global navigation information is presented as an ordered list of the resources representative of an order in which the resources were accessed using the single navigation interface".

1) Appellant specifically argues that although Bodnar describes browser and non-browser applications, the ordered list of the resources in a single user interface is not described or suggested by Bodner. Appellant has indicated that

figure 7 of Bodnar just shows one Quick mark interface illustrated a list of new and removed items. When a user clicks on a "What's New" button, the interface illustrated in Fig. 7 is displayed. The "What's New" interface displays a list of new and removed items. The "What's New" interface does not display an ordered list of the resources representative of an order in which the resources were accessed using the single navigation interface.

Examiner has carefully considered and taken into consideration the appellant's argument on the subject matter.

Examiner respectfully disagrees the argument because:

While the Examiner submits that the list (Fig 7) which is a list, represents the dates/times in which the Quick mark browser application was updated, the list of the resources in which were accessed using the single navigation interface is taught at figure 3B. In figure 3B, the utility lets the user easily organize programs, Web sites, and other items in tabs, and start them with a single click. Its particular interface comprises a manageable list of marks which is organized by tabs, folders, and visual icons...When the user clicks an Internet Quick marks button, the system launches the user's Web browser and connects the user to that Web site. After the browser is launched, the user can continue to click different Quick marks buttons to connect quickly to desired sites. In addition, the Quick marks utility contains three special buttons: Find Quick Mark 391, What's New 392, and Manage Quick Marks 393. These buttons are used to manage and search through one's programs, Internet sites,

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and documents (column 7, lines 35-51). Figure 3B presents a manageable list of programs (non-browser application), Web sites (browser application) which the user accesses by a single click. It is clear that The Quick marks utility interface shows presenting the global navigation information as an list of the resources representative in which the resources were accessed using the single navigation interface.

2) Appellant specifically also argues that the list of Quick marks in the "What's New" interface is not in any particular order, and this list is clearly not "ordered by date and time".

Examiner respectfully disagrees the argument because:

The claimed language itself "an ordered list" is a broad term. The term "an ordered list" is still not specific and clear enough to describe the present invention. Because the claimed language is so broad, the list could be in any "type" order. It could be in order by "date and time", or it could be in order by "object type"...

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In Bodnar, the figure 3B interface comprises a manageable list of marks which is organized by tabs, folders and visual icons. This utility lets the user easily organize programs, Web sites, and other items in tabs. It is clearly that Quick marks list is an ordered list.

3) Appellant specifically argues that although Bodnar describes browser and non-browser applications, Bodnar does not describe or suggest an ordered list of both browser and non-browser applications on a single user interface.

Examiner respectfully disagrees the argument because:

First, appellant does not claim "an order list of both browser and non-browser applications on a single user interface".

Second, even assuming for the sake of argument that the claimed language "an order list of both browser and non-browser applications on a single user interface" is recited in the independent claims, the Quick marks utility of figure 3B is directed at both browser and non-browser applications.

4) In response to the appellant's traverse the examiner's use of Office Notice, the examiner has provided evidence in the admitted prior art of record that supports the limitation of claim 36.

Bodnar does not disclose the feature of "presentation of the global-context history list comprising displaying a drop-down history list to a user". However, this feature is admitted to as being old in the art (the drop-down list in (312)

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area at figure 3A of the present specification). It would have been obvious to an artisan at the time of the invention to modify Bodnar's system to include a drop-down list displaying presentation of the global-context history since it would conserve the window space.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be Sustained.

Respectfully submitted,

Mylinh Tran


Patent Examiner, AU 2179



Conferees:

Lynne Browne

Appeal Panel Member



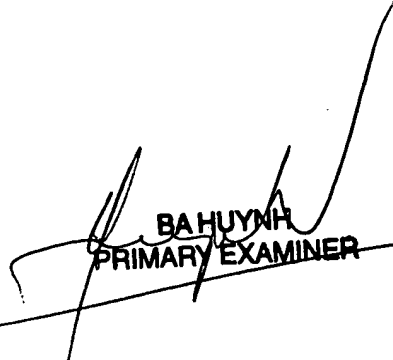
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